

first-class mail. The director shall also give written notice of the director's determination to the clerk to be placed in the court file, and the judicial review hearing shall be cancelled with notice of the cancellation given by the clerk to the petitioner.

(c) At the hearing, the following rights of the parties shall be preserved:

- (1) The right to present sworn evidence, law, or rules that bear upon the case.
- (2) The right to represent themselves or obtain the services of an attorney at their own expense.
- (3) The right to subpoena witnesses, cross-examine witnesses of the other party, and make a closing argument summarizing the party's view of the case and the law.

(d) Within 30 days after completion of the hearing, the court shall enter ~~a signed, written~~ an order containing findings of fact and conclusions of law. ~~A The clerk shall serve a copy of the order shall be served on each party or the party's attorney of record. If the court concludes that the director has not established by a preponderance of the evidence the correctness of the determination of abuse or serious neglect or the identification of the responsible individual, the court shall reverse the director's decision-determination and order the director to notify the Department of Health and Human Services to expunge not to place the individual's name from on the responsible individuals list. If the court concludes that sufficient evidence has not been presented to support a determination of abuse, but there is sufficient evidence to support a determination of the director has established by a preponderance of the evidence abuse or serious neglect and the identification of the individual seeking expunction judicial review as a responsible individual, the court shall modify the director's decision and order the director to notify the Department of Health and Human Services to change the entry place the individual's name on the responsible individuals list to that of neglect list, consistent with the court's order.~~

(e) Notwithstanding any time limitations contained in this section or the provisions of ~~G.S. 7B-324(a)(3) or (4), G.S. 7B-324(a)(4), upon the filing of a petition for judicial review by an individual identified by a director as a responsible individual, the~~ a district court of the county in which the abuse or neglect report arose may review a director's determination of abuse or serious neglect at any time if the review serves the interests of justice or for extraordinary circumstances. If the district court undertakes such a review, a hearing shall be held pursuant to this section at which the director shall have the burden of establishing by a preponderance of the evidence abuse or serious neglect and the identification of the individual seeking judicial review as a responsible individual. If the court concludes that the director has not established by a preponderance of the evidence abuse or serious neglect or the identification of the responsible individual, the court shall reverse the director's determination and order the director to expunge the individual's name from the responsible individuals list.

(f) A party may appeal the district court's decision under G.S. 7A-27(c)."

SECTION 8. G.S. 7B-324 reads as rewritten:

"§ 7B-324. Persons ineligible to request expunction; petition for judicial review; stay of expunction-judicial review proceeding pending juvenile court case.

(a) ~~Any~~ An individual who has been identified by a director as a responsible individual in an abuse or serious neglect case is not entitled to challenge the placement of the individual's name on the responsible individuals list may not petition for judicial review if any of the following apply:

- (1) The individual is criminally convicted as a result of the same incident. The district attorney shall inform the director of the result of the criminal proceeding, ~~and the director shall immediately notify the Department of Health and Human Services. The Department shall consider this information when determining whether the individual's name should remain on or be expunged from the responsible individuals list.~~ proceeding.
- (2) The individual is a respondent in a juvenile court proceeding regarding abuse or neglect resulting from the same incident. ~~The director shall~~